

11-20-02

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CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
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Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. of Prior Application	36119.129US2
First Named Inventor	James W. Baumgartner
Examiner Name	E. Lazar-Wesley
Group Art Unit	1646
Express Mail Label No.	EL703689699US

This is a request for a continuation or divisional application under 37 CFR 1.53(d),
 (continued prosecution application (CPA)) of prior application number 08 / 815,773
 filed on March 12, 1997 entitled Testis-Specific Receptor

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NOTES

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FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- Enter the unentered amendment previously filed on 11/21/2002 BABRAHAI 00000105 080219 08815773 under 37 CFR 1.116 in the prior nonprovisional application.
- A preliminary ^{Remarks} ~~amendment~~ is enclosed. 01 FC:1006 740.00 CH
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
.....
 - The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - PTO-1449
 - Copies of IDS Citations

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.



PATENTS
Attorney Docket No. 36119.129US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James W. Baumgartner, et al.

Art Unit: 1646

#24

Serial No.: 08/815,773

Examiner: E. Lazar-Wesley

A.J.J

Filing Date: March 12, 1997

12/5/02

Title: **TESTIS-SPECIFIC RECEPTOR**

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10

I hereby certify that the attached papers and fees are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on November 19, 2002 and is addressed to: **BOX CPA**, Assistant Commissioner for Patents, Washington, D.C. 20231.

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Rochelle Harper Greenidge
Rochelle Harper Greenidge

Box CPA
Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY REMARKS

Dear Sir:

This application has recently been assigned to Wyeth. Wyeth is presently reviewing the application. This Continued Prosecution Application is being filed to maintain this application while a decision is being made regarding a proper response to the outstanding rejection. If this application is taken up for consideration by the Examiner prior to receipt of a response by applicants, it would be appreciated if the Examiner would contact the undersigned by telephone at (617) 526-6048.

No fees are believed to be due in connection with this submission. However, please charge any fees which might be due to Deposit Account No. 08-0219.

Respectfully submitted,



Nancy Chiu, Ph.D., Reg. No. 43,545
Attorney for Applicants

Date: November 19, 2002

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